

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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MAR 26 1996  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Amendment of Policies and Rules ) CC Docket No. 94-158  
Concerning Operator Service )  
Providers and Call Aggregators )

**COMMENTS OF SOUTHWESTERN BELL TELEPHONE COMPANY**

Southwestern Bell Telephone Company (SWBT) hereby files Comments upon the Commission's Further Notice of Proposed Rule Making (FNPRM), released in this docket on March 5, 1996. The Commission specifically seeks comments on a proposed rule requiring consumer information located at payphone sites to be updated within 30 days after a payphone owner is notified that a PIC (presubscribed interexchange carrier) change has occurred.

In its Comments, filed March 9, 1995, SWBT pointed out that neither federal statute nor Commission rule specifies when payphone signs must be changed to reflect changes in the presubscribed carrier of aggregator telephones. SWBT inspects its payphones on average every 45 days, though some high-use sets are maintained more often, and some infrequently used locations are maintained on a much longer interval. SWBT therefore requested that the Commission not require inspections on an interval less than 45 days.

In its Reply, filed March 24, 1995, SWBT stated that it would require a

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minimum of 30 days to change information at its payphones. This does not mean that SWBT supports a 30 day interval. Rather, any interval less than 30 days would require the expenditure of costs greatly in excess of the simple cost to change the information. No public interest has been advanced to justify such excessive cost.

Since SWBT filed its Comments and Reply in this docket, however, Congress passed and the President signed into law the Telecommunications Act of 1996, which, at Section 276, requires the Commission to prescribe a per call compensation plan for all payphone providers (both public and private), to discontinue "carrier access charge payphone service elements," and otherwise to treat public payphone providers the same as private providers. The new legislation clearly intends a lessening of payphone regulations and a greater reliance on market forces. The Commission's proposal to require payphone notices to be updated within 30 days of PIC changes, however, is not in keeping with the spirit of less regulation. On the contrary, the proposed 30 day requirement is the sort of regulatory micro-managing which the Telecommunications Act of 1996 seeks to eliminate.

PIC changes at payphones occur frequently, sometimes more than once per week. SWBT has no control over such conduct, nor does SWBT benefit from a change in carrier . Requiring SWBT to bear the unreasonable cost of others' conduct is certainly out of step with the spirit of the 1996 Act.

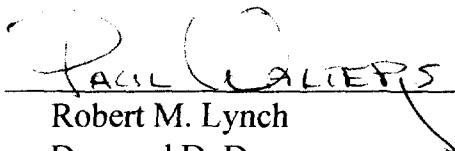
SWBT does not support the establishment of any required interval for the changing of payphone information. Instead, SWBT recommends that payphone providers

(both public and private) be allowed to change such information as part of routine visits to phone sites. Market forces will ensure that consumers are sufficiently advised of the interexchange carrier to which a payphone is subscribed.

For these reasons, SWBT urges the Commission to adopt no rule at all regarding notification of payphone PIC changes.

Respectfully submitted,

SOUTHWESTERN BELL TELEPHONE COMPANY

By   
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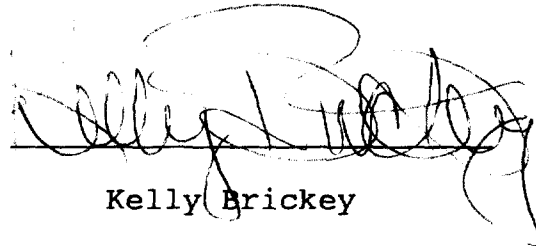
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March 26, 1996

**CERTIFICATE OF SERVICE**

I, Kelly Brickey, hereby certify that the foregoing "Comments Of Southwestern Bell Telephone Company", have been served March 26, 1996 to the Parties of Record.



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March 26, 1996

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